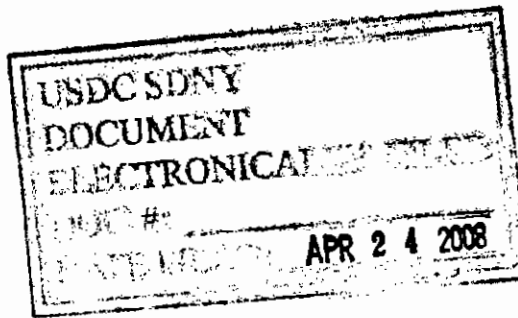


April 24, 2008



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**MEMO ENDORSED**

Hon. Laura Taylor Swain  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Tennenbaum Capital Partners LLC v. Kennedy  
07 Civ. 9695 (LTS)(DCF)

Dear Judge Swain:

This firm is counsel to Plaintiff. We write to request a further adjournment of the pre-trial conference which is currently scheduled for May 2, 2008 at 10:00 A.M.

As Your Honor may recall from our earlier letter, as a result of which Your Honor adjourned the initial pre-trial conference to May 2, the parties entered into a stipulation, so-ordered by this Court, adjourning Defendant's time to answer or move with respect to the Complaint for an indeterminate period of time, *sine die*, provided, however, that Plaintiff may at any time, on seven (7) days notice, demand that Defendant respond thereto. The parties entered into this arrangement because Defendant agreed to provide Plaintiff with certain financial information to see if this matter can be resolved.

Defendant has been providing us with material in accordance with the stipulation, and we believe that under these circumstances, the time and resources of the Court and counsel would be better served by adjourning the conference until a date to be set by the Court in the event that Plaintiff shall demand an answer to the Complaint.

Respectfully submitted,

Leonard Benowich

LB/gpb

cc: Stuart I. Friedman, Esq.  
David Hollander

The conference is adjourned to June 30, 2008,  
at 4:30 pm. SO ORDERED.

*[Signature]* 4/24/08  
LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE